

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

COYNESS L. ENNIX, JR.,

Case No. C-07-02486 WHA (JCS)

Plaintiff(s),

v.

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION TO COMPEL NMA
DEPOSITIONS [Docket No. 127]**

RUSSELL D STANTEN, ET AL.,

Defendant(s).

On January 16, 2008, Plaintiff filed a letter requesting assistance from the Court with regard to the scheduling of NMA depositions, which is construed by the Court as a Motion to Compel (the "Motion").

A hearing was held on January 18, 2008. Scott Emblidge, counsel for Plaintiff, appeared. Matthew P. Vandall, counsel for Defendant, appeared.

For reasons stated on the record, IT IS HEREBY ORDERED that the Motion is GRANTED IN PART. The deposition of Leland Housman shall be taken on **January 23, 2008**, from 7:00 p.m. to 10:00 p.m., and the deposition of Dr. Neil Smithline shall be taken as close as possible to the discovery cut-off date. The parties shall advise the Court by **January 25, 2008**, by way of Joint Letter as to the date of Dr. Smithline's deposition. The deposition of Robert Breyer and the remainder of the Motion is DENIED.

IT IS SO ORDERED.

Dated: January 24, 2008


JOSEPH C. SPERO
United States Magistrate Judge